

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

| | | |
|------------------------------|---|-----------------------|
| IN RE: | * | CASE NO. 11-02111 BKT |
| CESAR ALBERTO CLAUDIO ALICEA | * | |
| DEBTOR | * | CHAPTER 13 |
| xxx-xx-5147 | * | |

CONTESTACION POR DERECHO PROPIO
AL OBJECION DE LA MOCION NUM. 8
DE DEUDAS ADICIONALES A LA DEUDA DE ASUME

AL HONORABLE TRIBUNAL:

Yo, Luz Rivera Piñero, por derecho propio, expongo respetuosamente lo siguiente:

Las deudas que expongo son deudas de seguros médicos, dentales y de cuentas de ahorro de los dos menores. Además un dinero privativo de una cuenta IRA que al momento del divorcio el dispuso de ella.

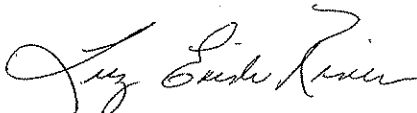
Las cantidades que me corresponden son las siguientes:

1. **\$16,388.76** son de las cuentas **IRA 6050274** y **5762424** del Banco Popular.
2. **\$1,874.00** de los "braces" de ortodoncia del menor Javier Claudio del Dr. José E. Llompert, en Hato Rey.
3. **\$781.00** del seguro médico MCS del menor Javier Claudio.
4. **\$710.00** del seguro médico MCS del menor Cesar Claudio.
5. **\$1,253.12** de cuenta de ahorros *****1466 del menor Javier Claudio del Banco Popular. (Ver en evidencia de deposición, donde el acepta que retiró el dinero).
6. **\$4,348.18** de cuenta de ahorros *****1493 del menor Cesar Claudio del Banco Popular. (Ver en evidencia de deposición, donde el acepta que retiró el dinero).

Adjunto ver las copias de evidencia.

SOMETO RESPETUOSAMENTE Y CERTIFICO QUE TODO LO QUE SE HA ESCRITO Y LAS EVIDENCIAS SON VERÍDICAS.

En Toa Baja, Puerto Rico, el día 30 de septiembre del año 2011.



Luz E. Rivera Piñero

Acreedora

Baranua SA 23

Toa Baja

787-616-2939

11 SEP 30 AM 11:51
U.S. BANKRUPTCY COURT
FOR THE DISTRICT OF
PUERTO RICO

RECEIVED AND FILED

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE DISTRICT OF PUERTO RICO

IN RE:

CESAR ALBERTO CLAUDIO ALICEA

CASE NO. 11-02111 BKT

Chapter 13

XXX-XX-5147

FILED & ENTERED ON 09/16/2011

Debtor(s)

ORDER

The motion filed by the Chapter 13 trustee regarding answer to objection to claim #8 (docket #29) is hereby granted. The debtor and creditor Luz E. Rivera Pinero to state their position within fourteen (14) days.

IT IS SO ORDERED.

San Juan, Puerto Rico, this 16 day of September, 2011.


Brian K. Tester
U.S. Bankruptcy Judge

CC: DEBTOR(S)
ROBERTO FIGUEROA CARRASQUILLO
ALEJANDRO OLIVERAS RIVERA

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

CÉSAR ALBERTO CLAUDIO ALICEA,
Debtor

Case No. 11-2111 BKT

Chapter 13

ANSWER TO TRUSTEE'S OBJECTION TO CLAIM NO. 8

TO THE HONORABLE COURT:

COMES NOW creditor LUZ RIVERA PIÑERO, through the undersigned attorney, and respectfully SETS FORTH and PRAYS:

1. On 12 July 2011, the appearing party filed her proof of claim (hereinafter, the "Claim") in the case of caption. **Claim No. 8**
2. On 9 August 2011, the Trustee filed an objection to said claim averring that the claim was "already being paid through ASUME." **Docket No. 27**
3. The appearing party opposes the Trustee's objection because the Claim is not based on Debtor's arrears on his pre-petition payments to ASUME.
4. The Claim is based on support payments to be made directly to the appearing party based on the state court judgment included with the Claim. Debtor's pre-petition arrears to ASUME are not part of the appearing party's claim.

WHEREFORE, the appearing party respectfully requests that the Trustee's objection to the Claim be denied.

RESPECTFULLY SUBMITTED

In Guayama, Puerto Rico, this 7th day of September, 2011.

/s/ **Miguel Ángel Serrano-Urdaz**
USDC No. 223608
P. O. Box 1915, Guayama, Puerto Rico 00785
Tel./Fax: 787.864.5454
serrano.urdaz.law@hotmail.com

BANCO POPULAR

01

Banco

00006050274

Número de Cliente

00250 BAYAMON, PLAZA RIO HONDO

Sucursal que Procesa la Transacción

70501

Centro de Costo

INFORMACIÓN DEL CLIENTE

CESAR A CLAUDIO ALICEA

Nombre

11/22/1957

Fecha de Nacimiento

583-96-5147

Seguro Social

Dirección Residencial

Teléfono Residencial

Teléfono del Trabajo

Dirección Postal

Indicador Retención 17%

MANS DEL SUR

Dirección Alterna Estados 000

SA23 CAMINO DE BAVARIA

Idioma S

TOA BAJA PR 00949

TÉRMINOS DE LA APORTACIÓN

POPULAR ROTH IRA - 24 MESES

05220000002 \$

Nombre del Producto

Núm. de Instrumento Cantidad

ROLLOVER

Tipo T R = Externo / T = Interno

Principal \$ 41,394.17

Intereses Exentos \$ 0.00

Intereses No Exentos \$ 0.00

Total \$ 41,394.17

Cantidad Prepagada

Transferida \$ 0.00

Aportación Aplicable a ☐ Año Anterior ☐ Año Actual

008

Origen de Fondos

12/03/2010

Fecha de Vencimiento

12/03/2008

12/03/2008

Fecha de Transacción

Fecha de Efectividad

2.5000 %

Tasa de Interés

2.53 %

Tasa de Rendimiento Anual (APY)

Valor Inicial Índice S&P

(Aplica sólo a Cuentas Stock Market)

DATOS DE INVERSIÓN E INFORMACIÓN FINANCIERA DEL CLIENTE (llenar sólo en Aperturas de IRAs de Fondos)

| Objetivo de Inversión | | Conocimiento de Inversión | | Experiencia de Inversión | |
|--|--------------------------------------|--|--|--|--|
| <input type="checkbox"/> Preservar capital | <input type="checkbox"/> Crecimiento | <input type="checkbox"/> Ninguno | <input type="checkbox"/> Bastante | <input type="checkbox"/> Ninguna | <input type="checkbox"/> Bastante |
| <input type="checkbox"/> Ingreso | <input type="checkbox"/> Especular | <input type="checkbox"/> Limitado | <input type="checkbox"/> Extenso | <input type="checkbox"/> Limitada | <input type="checkbox"/> Extensa |
| Renglón Contributivo de Ingreso en Puerto Rico | | Ingreso en Puerto Rico | | Capital Neto | |
| <input type="checkbox"/> 7.5% | <input type="checkbox"/> 16.5% | <input type="checkbox"/> Menos de \$15 mil | <input type="checkbox"/> \$50 mil a \$99,999 | <input type="checkbox"/> Menos de \$25 mil | <input type="checkbox"/> \$100 mil a \$249,999 |
| <input type="checkbox"/> 11% | <input type="checkbox"/> 29.5% | <input type="checkbox"/> \$15 mil a \$24,999 | <input type="checkbox"/> \$100 mil o más | <input type="checkbox"/> \$25 mil a \$49,999 | <input type="checkbox"/> \$250 mil o más |
| | | <input type="checkbox"/> \$25 mil a \$49,999 | | <input type="checkbox"/> \$50 mil a \$99,999 | (llevar la cifra al 10 mil más cercano) |

7-250-24
Banco Popular
S. S. S.
Sitio de Retiro
Continúa al dorso

01 Banco 00005762424 Número de Cliente 00250 BAYAMON, PLAZA RIO HONDO Sucursal que Procesa la Transacción 70501 Centro de Costo

INFORMACIÓN DEL CLIENTE

CESAR A CLAUDIO ALICEA Nombre 11/22/1957 Fecha de Nacimiento 583-96-5147 Seguro Social
Dirección Residencial
Teléfono Residencial
Teléfono del Trabajo
Dirección Postal MANSIONES DEL SUR
CALLE BAVARIA SA-23
TOA BAJA PR 00949
Indicador Retención 17%
Dirección Alterna Estados 000
Idioma S

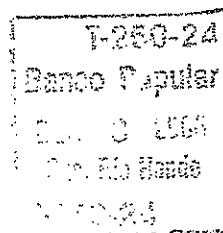
TERMINOS DE LA APORTACIÓN

IRA REGULAR - 24 MESES 01220000003 \$
Nombre del Producto Núm. de Instrumento Cantidad
Aportación Aplicable a ☐ Año Anterior ☐ Año Actual 008
12/03/2008 12/03/2008 12/03/2010
Fecha de Transacción Fecha de Efectividad Fecha de Vencimiento
2.5000 % 2.53 %
Tasa de Interés Tasa de Rendimiento Anual (APY) Valor Inicial Índice S&P
(Aplica sólo a Cuentas Stock Market)

| ROLLOVER | |
|---|----------|
| Tipo <u>T</u> R = Externo / T = Interno | |
| Principal \$ | 7,727.85 |
| Intereses Exentos \$ | 0.00 |
| Intereses No Exentos \$ | 0.00 |
| Total \$ | 7,727.85 |
| Cantidad Prepagada | |
| Transferida \$ | 0.00 |

DATOS DE INVERSIÓN E INFORMACIÓN FINANCIERA DEL CLIENTE (llenar sólo en Aperturas de IRAs de fondos)

| Objetivo de Inversión | | Conocimiento de Inversión | | Experiencia de Inversión | |
|--|--------------------------------------|--|--|--|--|
| <input type="checkbox"/> Preservar capital | <input type="checkbox"/> Crecimiento | <input type="checkbox"/> Ninguno | <input type="checkbox"/> Bastante | <input type="checkbox"/> Ninguna | <input type="checkbox"/> Bastante |
| <input type="checkbox"/> Ingreso | <input type="checkbox"/> Especular | <input type="checkbox"/> Limitado | <input type="checkbox"/> Extenso | <input type="checkbox"/> Limitada | <input type="checkbox"/> Extensa |
| Renglón Contributivo de Ingreso en Puerto Rico | | Ingreso en Puerto Rico | | Capital Neto | |
| <input type="checkbox"/> 7.5% | <input type="checkbox"/> 16.5% | <input type="checkbox"/> Menos de \$15 mil | <input type="checkbox"/> \$50 mil a \$99,999 | <input type="checkbox"/> Menos de \$25 mil | <input type="checkbox"/> \$100 mil a \$249,999 |
| <input type="checkbox"/> 11% | <input type="checkbox"/> 29.5% | <input type="checkbox"/> \$15 mil a \$24,999 | <input type="checkbox"/> \$100 mil o más | <input type="checkbox"/> \$25 mil a \$49,999 | <input type="checkbox"/> \$250 mil o más |
| | | <input type="checkbox"/> \$25 mil a \$49,999 | | <input type="checkbox"/> \$50 mil a \$99,999 | (llevar la cifra al 10 mil más cercano) |



Continúa al dorso

**FEDERAL TRUTH IN LENDING DISCLOSURE STATEMENT
FOR PROFESSIONAL SERVICES RENDERED**

Date: 8-13-10

Patient Name JAVIER CLAUDIO Parent Name Luz Rivera

Address Rivera

JOSÉ E. LLOMPART, D.M.D., M.S.

ORTODONCISTA
TORRE DE PLAZA, SUITE 807
SAN JUAN, P.R. 00918.
(787) 754-7773 • (787) 754-7727

MCKINLEY #50
MANATI, P.R. 00701
(787) 854-3346

Services performed or to be performed:

Date of Services _____

| | |
|--|--------------------|
| 1. Cash Price (Professional Fee) | \$ <u>3,500.00</u> |
| 2. Less: Cash Down Payment (Initial Fee) | \$ <u>900.00</u> |
| 3. Unpaid Balance of Cash Price | \$ <u>2,600.00</u> |
| 4. Upper Retainer at the moment of debanding | \$ _____ |
| 5. Lower Retainer at the moment of debanding | \$ _____ |

NONE

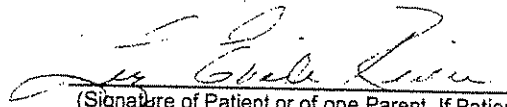
Patient hereby agrees to pay Dr. Llopart at his office shown above the "Total of Payment" shown in 28 equal monthly installments of \$ 90.00, the first installment

being payable sept 20 10, and all subsequent installments on the same day of each consecutive month until paid in full.

costo de los retenedores es adicional

I HEREBY CERTIFY, that I have read and received a copy of the foregoing Disclosure Statement this 13 day of agosto, 20 10.

*There will be no finance charge unless your account is over due..


(Signature of Patient or of one Parent, If Patient is a Minor)

Please sign and return one copy of this statement to us, retaining one copy for yourself.
If you have any questions concerning this, please let us know.
This form is a requirement by the Federal Government.

From: "Lucy Rivera" <l.rivera1656@yahoo.com>
Date: September 22, 2011 11:00 AM
Subject: Fw: Payment Confirmation

----- Forwarded Message -----

From: "servicioalcliente@medicalcardsystem.com" <servicioalcliente@medicalcardsystem.com>
To: l.rivera1656@yahoo.com
Sent: Wednesday, August 31, 2011 3:09 PM
Subject: Payment Confirmation

This e mail is your payment confirmation.

Payment Information

MCS Life Personal

MCS Plaza 255 Ave Ponce De León
Suite 75
San Juan, PR 00917-1919

Date: 8/31/2011 3:09:12 PM
Confirmation Number: 0000000000000526527
Authorization Number: 526527
Account Number: 000005310070471
Customer Name: CESAR A. CLAUDIO RIVERA
Payment Method:
Total Amount(\$): 74.00
Tax(\$):
Payment Description: Paid by Phone

This e mail is only a notification.
Please don't reply to this e mail.

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From: "Lucy Rivera" <l.rivera1656@yahoo.com>
Date: September 02, 2011 11:10 AM
To: <>
Subject: Fw: Payment Confirmation

----- Forwarded Message -----

From: "servicioalcliente@medicalcardsystem.com" <servicioalcliente@medicalcardsystem.com>
To: l.rivera1656@yahoo.com
Sent: Saturday, July 30, 2011 1:03 PM
Subject: Payment Confirmation

This e mail is your payment confirmation.

Payment Information

MCS Life Personal

MCS Plaza 255 Ave Ponce De León
Suite 75
San Juan, PR 00917-1919

Date: 7/30/2011 1:03:15 PM
Confirmation Number: 0000000000000430265
Authorization Number: 430265
Account Number: 000005310070471
Customer Name: CESAR A. CLAUDIO RIVERA
Payment Method:
Total Amount(\$): 74.00
Tax(\$):
Payment Description: Paid by Phone

:
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From: "Lucy Rivera" <l.rivera1656@yahoo.com>
Date: September 02, 2011 11:08 AM
To: <>
Subject: Fw: Payment Confirmation

----- Forwarded Message -----

From: "servicioalcliente@medicalcardsystem.com" <servicioalcliente@medicalcardsystem.com>
To: l.rivera1656@yahoo.com
Sent: Wednesday, August 31, 2011 3:04 PM
Subject: Payment Confirmation

This e mail is your payment confirmation.

Payment Information

MCS Life Personal

MCS Plaza 255 Ave Ponce De León
Suite 75
San Juan, PR 00917-1919

Date: 8/31/2011 3:04:12 PM
Confirmation Number: 0000000000000526497
Authorization Number: 526497
Account Number: 000005310060437
Customer Name: JAVIER A. CLAUDIO RIVERA
Payment Method:
Total Amount(\$): 74.00
Tax(\$):
Payment Description: Paid by Phone

:
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From: "Lucy Rivera" <l.rivera1656@yahoo.com>
Date: September 02, 2011 12:59 PM
To:
Subject: Fw: Payment Confirmation

----- Forwarded Message -----

From: "servicioalcliente@medicalcardsystem.com" <servicioalcliente@medicalcardsystem.com>
To: l.rivera1656@yahoo.com
Sent: Saturday, July 30, 2011 12:59 PM
Subject: Payment Confirmation

This e mail is your payment confirmation.

Payment Information

MCS Life Personal

MCS Plaza 255 Ave Ponce De León
Suite 75
San Juan, PR 00917-1919

Date: 7/30/2011 12:59:13 PM
Confirmation Number: 00000000000000430253
Authorization Number: 430253
Account Number: 000005310060437
Customer Name: JAVIER A. CLAUDIO RIVERA
Payment Method:
Total Amount(\$): 74.00
Tax(\$):
Payment Description: Paid by Phone

:
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718221466



Hola Cesar

| Fecha | Descripción | Débito(-) | Crédito(+) | Balance |
|------------|-----------------------|-----------|------------|------------|
| 06/22/2009 | INTERESES ACREDITADOS | | \$0.93 | \$1,253.12 |

* Las imágenes de cheques presentadas no son instrumentos negociables.

All rights reserved

TOMA DE DEPOSICIÓN DE SR. CÉSAR CLAUDIO ALICEA

Luz E. Rivera Piñero Vs. César Claudio Alicea

9 de julio de 2010

#4013-071610



1 P Muy bien, y entonces tengo Master Card, tengo
2 First Bank, la de Sears es la que no tengo.

3 R Exacto, la de Sears esa yo le pedí, de hecho,
4 en el sobre que usted recibió, aparece y creo
5 que debe estar ahí, el "request" que yo hice,
6 que yo lo hice y me dijeron que lo iban a
7 enviar.

8 P Aquí hay una... un gasto en una tienda que se
9 lleva Sara.

10 R Ah, sí, Sara, eso es una tienda que hay en
11 Plaza las Américas.

12 P ¿De mujer?

13 R No, no, de mujer y de hombre, sí, ahí yo me he
14 comprado unas camisas.

15 P Aquí hay una Sears, ah, lo que me habló de los
16 siste mil y 41 mil por acá.

17 R Es correcto, esa es la cantidad total de dinero
18 que habían en la 401K.

19 P Okay, y eso entró en agosto del 2009.
20 Entonces, usted tiene también, o hay también a
21 su nombre y a nombre de doña Luz unas cuentas
22 que son de los hijos de ustedes.

23 R May, creo hay que dos cuentas de Banco Popular.

24 P Okay, me corrige, usted me dice, una es a
25 nombre de Javier, que es la 718221466 y la otra

1 a nombre de César, que termina en 1493, que son
2 los que vimos ahorita.

3 R Es correcto.

4 P ¿Usted ha hecho retiro de esas cuentas?

5 R Sí, yo he hecho retiros, yo he hecho retiros y
6 obviamente yo reconozco que yo ese dinero yo lo
7 voy a reponer, porque obviamente, es dinero de
8 mis hijos, y yo obviamente con eso yo no voy a.
9 o sea, he estado en una situación donde he
10 necesitado el dinero y obviamente he recurrido
11 a ella, y estoy consciente y yo no tengo
12 repro, ninguno porque es mi responsabilidad.

13 P Aquí también hay unos gastos en Condado Plaza,
14 no.

15 R Sí.

16 P Eso...

17 R Me he quedado ahí en varias ocasiones.

18 P Okay, ¿con su familia?

19 R No, me he quedado, me he quedado solo, porque
20 he estado en el área y a lo mejor, pues...

21 P Se queda allá.

22 R Me he dado a lo mejor unos tragos y eso, y no
23 quiero tener, ser una estadística más en la
24 policía.

25 P Sí, entonces el Hotel Villa Cofresí, que ya me